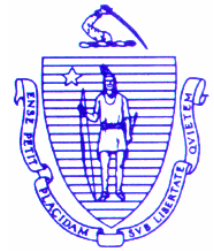




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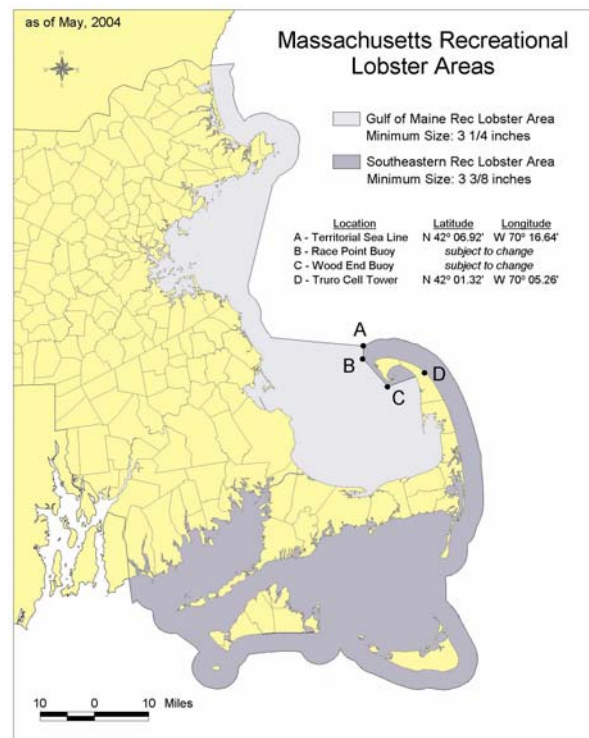
**May 24, 2004**  
**Marine Fisheries Advisory**

**MASSACHUSETTS MARINE FISHERIES ADVISORY COMMISSION**  
**APPROVES NEW REGULATIONS**

At a May 20, 2004 business meeting, the Marine Fisheries Advisory Commission (MFAC), approved Division of Marine Fisheries (DMF) proposals for new rules affecting recreational lobster fishing, commercial striped bass fishing, recreational scup fishing, wholesale dealer reporting, permitting for construction and repair of fishways, setting of lobster gear to protect right whales, and fishing for river herring along the Connecticut River. Most of these issues were discussed at May 3 & 4 public hearings.

**Recreational lobster fishing (by pot and SCUBA divers) will be regulated under area-specific rules concerning the release of v-notched female lobster; minimum and maximum sizes; and trap escape vent minimum sizes. Also a state-wide 15 lobster daily bag limit was approved.** Two management areas have been created: 1) Gulf of Maine Recreational Lobster Area and 2) Southeastern Recreational Lobster Area that generally coincide with the commercial management area boundaries. Since the May public hearings, DMF has amended the Southeastern Recreational Lobster Area boundaries to include nearshore waters around Provincetown.

Regulations approved by area are listed in the table below. All regulations are effective July 2, 2004, except escape vent minimum size increases in the Southeastern Recreational Lobster Area, which will not go into effect until the 2005 season.



	<b><u>Gulf of Maine Recreational Lobster Area</u></b>	<b><u>Southeastern Recreational Lobster Area</u></b>
<b>Minimum Size</b>	3 1/4"	3 3/8"
<b>Maximum Size</b>	5"	N/A
<b>V-notching</b>	<ul style="list-style-type: none"> <li>Zero-tolerance definition: (V-shaped notch of any size with or without setal hairs )</li> </ul>	<ul style="list-style-type: none"> <li>ASMFC definition: (1/4" to 1/2" straight sided triangular cut without setal hairs)</li> </ul>
<b>Escape Vent</b>	1 15/16" x 5 3/4" or two circular vents of 2 7/16"	2" x 5 3/4" or two circular vents of 2 1/2"
<b>Bag Limit</b>	15	15

**2004 Commercial striped bass fishery will open on July 11, 2004 with a 30 fish bag limit from Sunday through Wednesday until the commercial quota has been reached.** This action delays the commercial season opening by one week and decreases the daily catch limit per vessel from 40 to 30 fish.

**Scup recreational rules for the 2004 season were approved.** Recreational scup minimum size is now 10" (up from 9" in 2003) and the daily possession limits were lowered. Recreational fishermen fishing on private vessels or from shore are limited to 40 fish with a maximum 80 per vessel. (Last year's limits were 50 fish per angler and 100 per vessel) Possession limits for recreational fishermen fishing aboard charter or party vessels are maintained at 100 fish per angler from January 1 through June 30<sup>th</sup> but then are reduced to 40 fish per angler from July 1 through October 6 (the end of the open season). These rules are already in effect through previous emergency actions and are designed to reduce this year's scup catch by 40 % in compliance with interstate plan mandates.

**Lobstermen fishing in the Cape Cod Bay Critical Habitat during May to December are required to rig their gear with one of the configurations listed on the approved gear technology list (322 CMR 12.00).** This regulation relaxes current requirements, while complementing current federal regulations. Regulation will be effective July 2<sup>nd</sup>.

**New permit required to alter or build any anadromous fish passageway.** Increased activity at the federal, state and local level to modify or enhance anadromous fish passageways requires increased DMF coordination and oversight. DMF will require project proponents to obtain a letter of authorization from the Director before any work on a run would begin. DMF will guide applicants in their submission of required materials and will encourage applicants to submit documentation prior to any request for funding. This arrangement will help proponents of anadromous fish restoration to develop projects that are biologically based and consistent with current management techniques. Regulation will be effective July 2<sup>nd</sup>.

**New river herring regulations approved for fishing within the Connecticut River Watershed. The following rules shall be in effect on July 2, 2004:**

- possession limit is lowered from 25 to 12 fish per day;
- no-fishing days are eliminated (fishery is open seven days a week);
- use of gear other than hook and line to catch river herring is prohibited;
- sale of river herring taken from the Connecticut River Watershed is prohibited; and
- snagging of river herring is prohibited.

**No actions were taken on 1) the public petition to lower commercial lobster trap limit to 600 in state waters, 2) proposal to amend recreational cod possession limits, and 3) previous emergency action to restrict cod fishing in a portion of Massachusetts Bay.** DMF staff will continue to work with the public and ASMFC, NEFMC, and NOAA Fisheries personnel to develop appropriate regulations for the lobster and cod fisheries.

For more information please contact *Marine Fisheries* at 617.626.1520  
or visit our website at [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries).